

REMARKS

Applicant wishes to thank the Examiner for considering the present application. In the Office Action dated September 10, 2004, claims 1-18 are pending in the application. The allowability of claims 7, 12 and 16 is noted. Claims 1, 8 and 13 have been canceled above.

Claims 1-6, 8-11, 13, 17, and 18 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Bartell* (5,625,767). Applicant has canceled claims 1, 8 and 13 above.

Claim 1 has been canceled.

Claim 2 has been rewritten in independent form. Claim 2 includes the step of defining a plurality of classes identifying source documents of each of the plurality of classes, generating a classification theme score for each of the classes from the source documents for each of the plurality of classes, entering an unclassified document into the system, generating an unclassified document theme score corresponding to the unclassified document, classifying the unclassified document into one of the plurality of classes when the unclassified document theme score is substantially equal to the classification theme score, reviewing documents in each of the plurality of classes, determining misclassified documents, and assigning a theme score to the misclassified documents. Applicant respectfully submits that the *Bartell* reference does not teach or suggest misclassified documents. The Examiner states: "Documents which are not classified (204) are considered misclassified by reason that they do not have the correct classification. The new documents (204) are assigned theme scores as described above." While it is true that the *Bartell* reference describes unclassified or new documents, no teaching or suggestion is provided for reviewing the documents in each of the plurality of classes and determining misclassified documents. Applicant therefore respectfully requests the Examiner to reconsider the rejection of claim 2.

Claim 3 recites the same steps of defining through classifying as set forth above with respect to claim 2 but further includes the step of weighting a predetermined section of the unclassified document. The Applicant has amended the claim to state that the predetermined section comprises a plurality of words. Weighting is described in the *Bartell* reference with respect to the individual words. However, no teaching or suggestion is provided for weighting sections of the document wherein the sections have a plurality of words therein. Likewise, claim 4 is dependent from claim 3 and is believed to be allowable for the same reasons set forth above.

Claim 5 includes the same steps of defining a plurality of classes through the step of classifying the unclassified document and further includes forming a first and second subclass from a class. Applicant respectfully submits that although the *Bartell* reference teaches subclasses, forming a first and second subclass *from a class* is not taught or suggested in the *Bartell* reference. Applicant therefore respectfully requests the Examiner to reconsider this rejection as well.

Claim 6 depends from claim 5 and is believed to be allowable for the same reasons set forth above.

Claim 7 has been rewritten in independent form and was allowable as described above by the Examiner.

Claim 8 was canceled above.

Claim 9 is similar to claim 2 and is believed to be allowable for the same reasons set forth above. Claim 9 specifically recites classes and subclasses, which is not set forth in claim 2 above. However, the steps of reviewing, determining and assigning a theme score is not taught or suggested in the *Bartell* reference as mentioned above with respect to claim 2.

Claim 10 contains similar limitations to claim 3 and is believed to be allowable for the same reasons set forth above. That is, the *Bartell* reference does not teach weighting a predetermined section of the unclassified document wherein the predetermined section comprises a plurality of words.

Claim 11 depends from claim 10 and is believed to be allowable for the same reasons set forth above with respect to claim 4.

Claim 12 stands allowable and is rewritten in independent form.

Claim 13 has been canceled.

Claim 16 has been rewritten in independent form.

Claims 17, 18, 14 and 15 have been rewritten to depend from allowable claim 16.

In light of the above amendments and remarks, Applicant submits that all objections and rejections are now overcome. Applicant has added no new material to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or

comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this appeal to deposit account 06-1510.

Respectfully submitted,



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Date: 12/10/09

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